

11/09/01
JC979 U.S. PTO

01-07-02

Docket: 1273 CIP CON FWC CON III

A
JC932 U.S. PTO
10/03/97
10/09/11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David A. Nicholas et al

Examiner: To Be Determined

Group Art Unit: To Be Determined

Serial No: To Be Determined

Filed: Concurrently Herewith

For: ARTICULATING ENDOSCOPIC SURGICAL APPARATUS

APPLICATION TRANSMITTAL LETTER

Asst. Commissioner For Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the [x] utility [] design patent application in this case including:

1. [X] This application is a [X] Continuation; [] Divisional [] Continuation in Part of prior application Serial No. 09/417,535 filed on 10/14/99 which is a Continuation of 09/096,380 filed on 6/11/98 which is a Continuation of 08/777,115 filed on 12/30/96 (Patent No. 5,782,859) which is a File Wrapper Continuation of 08,360,015 filed on 12/20/94 which is a Continuation of 925496 filed on 09/4/92 which is a Continuation In Part of 07/834,687 filed on 02/12/92 (Patent No. 5,383,888).
2. [X] This application is a continuation of prior application No. 09/417,535 filed on 10/14/99. Prior application information: Examiner: H. Trinh; Group/Art: 2814
3. [X] The application consists of 43 pages (including specification, claims and abstract).
4. [X] 20 sheet(s) of drawings are enclosed. The drawings are:
 - a. [] formal; or
 - b. [X] informal; formal drawings will be submitted in due course.
5. [X] A copy of the signed declaration and power of attorney from the prior application is enclosed. The inventor(s) is/are: David A. Nicholas, Ernie Aranyi, Boris Zvenyatsky, Paul A. Matula, Stanley H. Remiszewski, David T. Green, Henry Bolanos. (6 pages)
6. [] A declaration and power of attorney is not enclosed at this time since it has not been executed by the inventor(s). A signed declaration and power of attorney will be submitted in due course.
7. [X] A copy of the Assignment of the invention to United States Surgical Corporation from the Prior Case is enclosed.

8. [X] Please cancel claims 2-45 as originally filed before calculating the filing fee.
9. [X] The Application filing fee is calculated below.

No. Filed	No. Extra*	Rate:	Fee
Basic Fee:			\$ 740.00
Total Claims:	1 - 0 = 20	x 18.00	\$
Indep Claims:	1 - 0 = 3	x 80.00	\$

[] Multiple Dependent Claims
Presented + \$270.00

\$ 0.00

TOTAL: \$740.00

9. [X] Please charge Deposit Account No. 21-0550 in the amount of \$740.00 which includes filing fee and recordation fee).
TWO DUPLICATE COPIES OF THIS PAPER ARE ENCLOSED.
10. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment to Deposit Account No. 21-0550.
11. [X] Enclosed is a copy of a petition for a three (3) month extension of time, the original of which is being filed concurrently herewith re prior application Serial No. 09/417,535 (filed on 10/14/99).

Respectfully submitted,

Date: Nov. 9, 2001

Paul R. Audet
Paul R. Audet
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Attorney for Applicant

United States Surgical, a division of
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10037977-110001

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CERTIFICATE OF EXPRESS MAILING

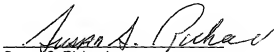
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Date of Deposit: November 9, 2001

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Copy of Petition For Extension of Time for prior application No. 09/417,535 (1 page)
- ☒ Application Transmittal Letter (2 pages)
- ☒ Application (43 pages including specification, claims and abstract)
- ☒ 20 sheets of drawings (informal).
- ☒ A copy of the signed declaration and power of attorney from the prior application. (6 pages)
- ☒ A copy of the recorded Assignment of the Invention to United States Surgical from the prior application. (4 pages)
- ☒ Associate Power of Attorney (1 page)
- ☒ Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope addressed to the Asst. Commissioner of Patents, Washington, D.C. 20231.


Susan S. Rickard

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